

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JOSE SANTOS JIRON-DIAZ, )  
 )  
Defendant. )

CASE NO. 05-432 M

DETENTION ORDER

Offense charged: Illegal Re-Entry After Deportation, in violation of Title 8, U.S.C.,  
Section 1326(a).

Date of Detention Hearing: August 31, 2005.

The Court, having conducted an uncontested detention hearing pursuant to Title  
18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for  
detention hereafter set forth, finds that no condition or combination of conditions which the  
defendant can meet will reasonably assure the appearance of the defendant as required and  
the safety of any other person and the community. The Government was represented by Don  
Reno. The defendant was represented by Nancy Tenney.

The Government filed a Motion for Detention, to which the defendant stipulated.

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FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- (1) The defendant represents a risk of nonappearance as he is a citizen and national of Mexico who has previously been deported; his background and ties to the Western District of Washington are unknown; and the Bureau of Immigration and Customs Enforcement has filed a detainer.
- (2) The defendant represents a risk of danger due to his criminal history and unknown background.
- (3) The defendant stipulated to detention.

Thus, there is no condition or combination of conditions that would reasonably assure future court appearances.

**It is therefore ORDERED:**

- (1) Defendant shall be detained pending trial and committed to the custody of the Attorney General for confinement in a correctional facility separate, to the extent practicable, from persons awaiting or serving sentences, or being held in custody pending appeal;
- (2) Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- (3) On order of a court of the United States or on request of an attorney for the Government, the person in charge of the correctional facility in which Defendant is confined shall deliver the defendant to a United States Marshal for the purpose of an appearance in connection with a court proceeding; and

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1 (4) The clerk shall direct copies of this order to counsel for the United  
2 States, to counsel for the defendant, to the United States Marshal, and to  
3 the United States Pretrial Services Officer.

4 DATED this 1<sup>st</sup> day of September, 2005.

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7 Monica J. Benton  
8 United States Magistrate Judge  
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